

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>PATHMARK STORES, INC.,</b>	:	
<b>Plaintiff</b>	:	<b>CIVIL ACTION</b>
	:	
v.	:	
	:	
<b>GATOR MONUMENT PARTNERS, LLP,</b>	:	
<b>Defendant</b>	:	<b>NO. 08-3082</b>

**ORDER**

**AND NOW**, this 21st day of August 2009, upon consideration of Gator Monument Partners, LLP's Motion to Compel Discovery (Doc. No. 41), Pathmark Stores, Inc.'s Response (Doc. No. 44), and Gator's Reply (Doc. No. 45) and following a telephone conference with counsel on August 19, 2009, it is hereby ORDERED that the Motion is DENIED as untimely as outlined in the accompanying Memorandum.

It is FURTHER ORDERED that:

- 1) Pathmark shall supplement disclosures concerning sublease revenue and provide Gator with a current certificate of insurance; and
- 2) Gator will provide Pathmark with a copy of any third-party subpoenas seeking additional discovery in this case.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE